

AN ACT

RELATING TO HEALTH AND SAFETY; ADDING THE DIRECTOR OF THE NEW MEXICO OFFICE OF INDIAN AFFAIRS TO THE BOARD OF MEDICAL INVESTIGATORS; REQUIRING THE OFFICE OF THE STATE MEDICAL INVESTIGATOR TO CONSULT WITH THE RELATIVES OF A DECEASED MEMBER OF AN INDIAN NATION, TRIBE OR PUEBLO REGARDING THE DISPOSITION OF ALL OF THE DECEASED'S REMAINS.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-11-1 NMSA 1978 (being Laws 1971, Chapter 112, Section 1, as amended) is amended to read:

"24-11-1. BOARD OF MEDICAL INVESTIGATORS--CREATION--MEMBERSHIP--COMPENSATION.--There is created the "board of medical investigators", consisting of the dean of the university of New Mexico school of medicine, the secretary of health, the chief of the New Mexico state police, the chairman of the state board of thanatopractice and the director of the New Mexico office of Indian affairs. The members of the board of medical investigators shall receive no compensation for their services as board members other than as provided in the Per Diem and Mileage Act."

Section 2. DECEASED MEMBERS OF INDIAN NATIONS, TRIBES OR PUEBLOS--CONSULTATION REQUIRED.--If a deceased person is determined to be a member of a federally recognized Indian nation, tribe or pueblo, the state medical investigator shall use all due diligence, after any legally required autopsy or post-mortem examination, to consult with the legal next of kin of the deceased regarding the

disposition of all of the deceased's remains, unless other treatment of the remains is provided for by law.

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, ~~2008~~.